£733-98.

G. R. S. IX-5]

Previous references. 1897-98

191

(L-R)

File No. 92

Serial Nos. 1-12

Later references.

R 7224-32 LR 158-98

R.m. 332-07-7 LR 65-00

D 13/3/09

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1672

~~Part~~ B for October 1898

SUBJECT.

Appeal of Venkatakrishnaiya against the order of the Deputy Commissioner of Bellary regarding the dispute of Boundaries of Vittur and Kalleshwara in the Gudur Taluk.

Issued 8/9

Countermarked S. Ashoff.

12

Ref. No 596 of 23-8-97

Magistrates letter
dated 30th Aug
which was a real
necessity

Call on record
& peruse the
usual course
adopted

6.9.97

(Vyavahara Nadi - attention
to be drawn to the
7-cr 6m

6/9/97

6/9/97

Nobel
7/9/97

7-9-97

7/9/97

2

Before the Govt of Mysore.

Appeal No 22 of 1897-98.

Appellant.

v. Venkatakrishnaiya

Respondents.

1. Sinappa
2. Venkalādasappa
3. Venkalāxmanamaiya a minor by guardian Lyundappa

Appeal No 30 of 97-98.

1. Venkalāxmanamaiya
2. Venkalādasappa

Venkatakrishnaiya.

Notices served.

18. 10. 97.

Adjourned 30-11-97.

Notices served.

30. 11. 97.

Adjourned to 18th December

December 97.

Parties present.
Further report ordered to be
called for.

1/12/97

Further report received and
case ordered to be called August 98.

8-8-98.
Parties served.
Respondent has sent a telegram
praying for adjournment.

Before the Government of Mysore.

Appeal No. 22 of 1897-98.

Appellant.	Vs.	Respondent.s.
Venkatakrishnaiya		1. Linappa 2. Venkatarangappa 3. Venkatarangaiya minor by guardian Gundappa.

Appeal No 30 of 1897-98.

1. Venkatarangaiya
2. Venkatadasappa. vs Venkatakrishnaiya.

Dispute regarding the Shanbhogi of Nallur and other villages in the Gubbi Taluk.

List of papers in English.

(Rei C-E Ds- have been served to by the Secretary regarding his movements) Posted to the 8th August.

(1) Assistant Commrs judgment—
(2) Dy Commrs do.
(3) Appeal Petition
(4) Official Memo.
(5) Dy Commrs Report—
(6) Genealogical Table.
(7) Cross appeal petition with enclosure.
(8) Govt Orp No 4835 / P 664 dated 3-12-97
(9) Dy Commrs Report-98th July 98.

28/7/98

It is said that there
~~were~~ are three officials
while according to the survey
arrangement there are four
chainmen's charges - One of
the appellants' contention
is that the 4th charge
may be given when
the Jury does not ~~allow~~ give any reason
why this should not be done
and the survey arrangement
adhered to. He will not
report why a separate
official should not be
appointed for each of the
survey charges and if
one is thus available to
be given to the appellant
why that fourth charge which may be the smallest
should not be given when

1-12-97

Drafts
Sc
2/12/97

(1) Regular appeal
(2) Petition and Decl. 1/4 - Separate
(3) Record file 21/2/97 - 2 Time

21/2/97

1897

No. 576

Name of Petitioner Venkatakrishnaiah

Village Chikkanayakanahalli

Taluk Kunigal

District Tumkur

Date of Arri 25-8-97

Date of Receipt 25-8-97

Date of Disposal

No. of Enclosure 4 Covers

ABSTRACT.

The petitioner appeals against the judgment dated 30/6/97 of the Deputy Commr Tumkur in Regular Appeal Nos 1876-7 on the file of the Court

The judgment is in English.

The petitioner states as follows:—

1. The judgment of the Lower Appellate Court states that the petitioner as a claimant to a share in the Dharabhoga of the eleven villages in dispute; that he is entitled to the appointment of the Kattukattu and that his name with be registered in the Kattukattu.

2. The judgment of the original Court states that the petitioner's name should be registered in the Kattukattu, that he is entitled to hold the office of Kattukattu in the eleven villages in dispute and that the name should be registered in the Kattukattu of the villages; and that the Deputy Commr will not disturb the election of the villages he should be put in possession of.

3. The Lower Appellate Court confirms the decree of the original Court in so far as related to the petitioner's claim to one-fourth share in the Dharabhoga of the villages in dispute but it was not willing to make proper arrangements to put petitioner in charge of the duties of the villages.

4. The Deputy Commr states that the present arrangement could not be disturbed, as present officiators were appointed by Empire authority. He is not sufficiently convinced (illegible) not putting petitioner in charge of the duties of the villages).

(1) Council Copy

The appellant brought action in the Civil Court for the following reliefs:— (1) for a declaration of his right to 1/4 share in the Dharabhoga of 11 villages and (2) for being put in possession of the said 11 villages as well as possession of 65-15 (1/4 of the portion of the entire holding) of the portion of the entire holding. The Extra Asst Comr allowed the claim and passed a decree accordingly. Against this decree the defendant appealed to the Asst Comr who dismissed the appeal and confirmed the decree passed by the Extra Asst Comr. Hence this second appeal by the defendant. The relief sought in the plaint is a mere declaration of 1/4 share in the Dharabhoga of 11 villages and the consequential relief of possession is not claimed. The appellant has appealed against the decree and wants it to be set aside. The petitioner is in charge of the duties of the village appertaining to four hundi villages. He states that there are different persons in charge of the duties of the remaining 7 villages. He wants to be put in charge of the duties of the 11 villages.

Put up with the record.

M. 4/9/97

RD
4/9

objections to relief as many villages as
[illegible] nearly give petitioner his 1/4 share
in the total amount of the Patta.
In fact it is not impossible to make a
selection of the villages and there are no
objections to the selection.

6. The petitioner's father Lakshmiah was
elected during the term of the Shanbhog of the
11 villages in dispute till his death in 1879.
A dispute arose among the Ryots as to
the succession to the office. In 1879 an
arrangement was made by which 2
villages were allotted to Venkanna, the
representative of the 1st family entitled to
1/4 share; 4 villages to Lakshmiranappa,
the representative of the 3rd family entitled
to 1/4 share; 4 villages to the petitioner's elder
brother Venkanna another representative of
the 3rd family; and one village to Ramiah
a stranger. Neither the 2nd and 3rd Respon-
dents who belong to the 2nd family nor their
ancestors raised any objection then.

7. During the Survey Settlement the
11 villages were formed into four charges.
It appears that the Settlement Officer
intended that the Deputy Gowda should
make arrangements to appoint a man to
each of the charges. The Patta of each
village was also fixed.

8. As the representatives Venkanna and
the petitioner's elder brother Venkanna have
been convicted of criminal offence, and as
petitioner's uncle Lakshmiranappa was
unable to work, the arrangement made
by the Settlement was altered. The Deputy
Gowda formed the 11 villages into six charges
and fixed the Patta of each charge. Narappa
the representative of the 1st family was put
in charge of three charges; Puttanna of
the 2nd family was given two charges; and
Ramiah was given one charge as before.

9. The representatives of the 1st and 2nd
families fraudulently suppressed the claims
of the petitioner who is the representative
of the 3rd family. The Amildar also did
not enquire as to whether there were any
minors next to the petitioner's elder
brother. Petitioner was then a minor under
the protection of his relatives living at a
great place.

On the death of the stranger Ramiah
one Narappa thereupon was allotted
one Narappa thereupon was appointed
to the office. He was convicted for a
criminal offence and dismissed in 1852.
The 2nd Respondent who is the representative
of 2nd family was appointed to the office.
Petitioner was still a minor, his
arrangements took place on various
grounds.

12. The 2nd & 3rd respondents have
acted fraudulently in respect of the
petitioner as the next heir to Venkanna
was dismissed in 1880.

13. The 4 villages that were allotted
to the petitioner's elder brother Venkanna
and the 4 villages that were given to
the petitioner's uncle Lakshmiranappa
are now held by the representatives
of the 1st and 2nd families. The 3rd fam-
ily to which the petitioner belongs does not
possess any village.

14. The petitioner's claim has been
established by the two Kanara Courts
to various arrangements were
formerly made on various grounds, the
petitioner prays that another arrange-
ment may now be made for his main-
tenance.

15. The new arrangement prayed
for will not in any way be prejudi-
cial to either the claims or the rights
of the 2nd & 3rd Respondents. The
Head office may be allowed to select as many villages
as would give them 1/4 share in
the Patta. And the petitioner may be
permitted to do the duties of as many
villages as would give him his share
of the Patta. He does not want more
if the villages selected were to give
him an amount which is a little
less than his share of the Patta.

16. The previous cases are such that
there was a difficulty appears to make
arrangements for the maintenance
of the petitioner.

17. In some cases in which the
villages could not be distributed, the
Government have ordered that the work
should be looked after by rotation.

18. The petitioner prays that as many
villages as would give him his 1/4
share (or a little less) of the Patta, and
that he be put in charge of the
duties thereof; and that all the
costs may be ordered to be given
to him.

Vinay
28/8.

Pet 411

13-9-97

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

92-97

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition Registered No. 596 dated 23-8-97 received at the Dewan's Office from Venkatakrishnaiah of Siresandra village in the Gubbi Taluk, appealing against the order of the Dy. Comr, Tumkur declaring the pet to be entitled to 1/6 share in the Shanbhogi hitta of Siresandra and otherwise but declining to put the pet in possession of the

charge of a number of mgts pro-portionate to his hitta

is forwarded, together with its four enclosures, to the Deputy Commissioner of the Tumkur District, for submission of the entire proceedings connected with the case.

2. The petition with its enclosures should be returned.

By order,

for Chief Secretary

BANGALORE,

11/9/1897 } 7/9/97

M.G.C.P.B.—25-4-95—1,000

ಪೆಟ್ಟಿಗೆ ೨೪
1-9-97 ಸ್ವೀಕೃತ

The case has been duly
be posted.
= Bring up for posting
M 23/9/97
Posted to 18th October
M 24/9/97

Register not
available.

9 (3) 2118
Pet 166.

1897. 10 SEP 97 DEWAN'S COURT OFFICE

From The Deputy Commissioner
- Kolar - Chintamani District

To The Secretary to the
Govt of Mysore - Gel.
and Rev: Depts.
LR 92-97
Dated 16 September 1897.
Despatched 82 3
Received
General No.
No. 294

Enclosure No. Record + file
of this Office Memo No 411
of 11th September 1897.

Submits the entire
record in Rev: appeal
case No 3 of 1896-97 on
the file of this Court
Venkataramaniah and
another vs Venkata-
krishniah.

Petition March 4
18/9/97

Refer put up.
M 21/9/97.

Submitted
RK
22/9/1897

No 294
Revenue
Jan.

10

Tiptur District.
Deputy Commissioner's Office.
Tiptur 16th September
1897.

To

The Secretary to the Govern-
-ment of Mysore - General
and Revenue Departments.

Sir,

I have the honor to sub-
-mit herewith the entire record in
Revenue Appeal case No 3 of 1896-97
on the file of this Court, Venka-
-taramanna and another ~~vs~~ Ven-
-kataKrishniya together with the
records of the original Court, as
called for in your Official Memo
No 411 of 11th September 1897.

+ Enclosures
are herewith
returned.

I have the honor to be
Sir,
Your most Obedt Servant.

C. Narain Rao

Deputy Commissioner

EK

[illegible]

[illegible]

2. [illegible]

3. [illegible]

4. [illegible]

([illegible]

Venkatakrishnan
23/8/97
No. 596

Abstract
M 24/8/97

10

596 R
25-8-97

[illegible]

[illegible]

[illegible]

97-98 [illegible]

[illegible]

96-97 [illegible] 3.

[illegible]

95-96 [illegible] 5.

[illegible]

[illegible]

1. [illegible]

2. [illegible]

3. [illegible]

[illegible] 97 [illegible]

[illegible] 30 [illegible]

[illegible]

[illegible] 21 [illegible]

ಶೀಲ ಅನಂತರಾಂತರದಲ್ಲಿ ಬಂದಿರುವ ಪದವು) ಅಂದರೆ ಶೀಲವೆಂದರೆ

ನಿಂತಿರುವುದು ———

5. ಇಷ್ಟಾದರೂ 4ನೇ ಶ್ಲೋಕದಲ್ಲಿ ಗಳಿಸಿರುವ ಸಂಪತ್ತು ಕೆಲವರಲ್ಲಿ ಕೆಲವು ಕಾಲ ಮಾತ್ರ ಉಳಿದುಕೊಂಡು ಬಳಿಕ ಅವರಿಂದ ದೂರವಾಗಿ ಹೋಗುವುದು ಕಂಡುಬರುತ್ತದೆ. ಆದರೆ ಶೀಲವಂತರಲ್ಲಿ ಸಂಪತ್ತು ಎಂದಿಗೂ ಶಾಶ್ವತವಾಗಿ ನೆಲೆಸಿರುತ್ತದೆ. ಆದ್ದರಿಂದ ಸಂಪತ್ತಿಗಿಂತ ಶೀಲವೇ ಶ್ರೇಷ್ಠವೆಂದು ಕವಿಯು ಹೇಳಿರುವುದು ಸಮಂಜಸವಾಗಿದೆ.

6. ಈ ಪದ್ಯದಲ್ಲಿ ಬರುವ 11 ಮಾತ್ರೆಗಳ ಸಮೂಹವನ್ನು ಗಮನಿಸಿದಾಗ ಇದು 7ನೇ ಗಣದ ಮೇಲೆ ಯತಿಯನ್ನು ಹೊಂದಿರುವುದು ತಿಳಿಯುತ್ತದೆ. 7ನೇ ಗಣದ ಮೇಲೆ ಯತಿಯನ್ನು ಹೊಂದಿರುವ ಪದ್ಯಗಳಲ್ಲಿ ಸಾಮಾನ್ಯವಾಗಿ 7ನೇ ಗಣದ ಕೊನೆಯ ಅಕ್ಷರವು ಗುರುವಾಗಿರುತ್ತದೆ. ಆದರೆ ಈ ಪದ್ಯದಲ್ಲಿ 7ನೇ ಗಣದ ಕೊನೆಯ ಅಕ್ಷರವು ಲಘುವಾಗಿದೆ. ಇದು ಈ ಪದ್ಯದ ವಿಶೇಷತೆಯಾಗಿದೆ. ಈ ಪದ್ಯದಲ್ಲಿ 1ನೇ ಸಾಲಿನ ಕೊನೆಯಲ್ಲಿ ಬರುವ ಪದವು 4 ಮಾತ್ರೆಗಳನ್ನು ಹೊಂದಿದೆ. ಆದರೆ 2ನೇ ಸಾಲಿನ ಕೊನೆಯಲ್ಲಿ ಬರುವ ಪದವು 4 ಮಾತ್ರೆಗಳನ್ನು ಹೊಂದಿದೆ. ಆದರೆ 3ನೇ ಸಾಲಿನ ಕೊನೆಯಲ್ಲಿ ಬರುವ ಪದವು 3 ಮಾತ್ರೆಗಳನ್ನು ಹೊಂದಿದೆ. ಆದರೆ 4ನೇ ಸಾಲಿನ ಕೊನೆಯಲ್ಲಿ ಬರುವ ಪದವು 4 ಮಾತ್ರೆಗಳನ್ನು ಹೊಂದಿದೆ. ಆದ್ದರಿಂದ ಈ ಪದ್ಯವು ಸಮವೃತ್ತವಾಗಿರದೆ ಅರ್ಧಸಮವೃತ್ತವಾಗಿದೆ. ಅಂದರೆ 1ನೇ ಸಾಲು ಮತ್ತು 3ನೇ ಸಾಲು ಒಂದೇ ರೀತಿಯಲ್ಲಿದ್ದು, 2ನೇ ಸಾಲು ಮತ್ತು 4ನೇ ಸಾಲು ಒಂದೇ ರೀತಿಯಲ್ಲಿವೆ.

ನಿಂತಿರುವುದು ——— ನಿಂತಿರುವುದು

7. [illegible]

8. [illegible]

[illegible] 3 [illegible]

[illegible] 4 [illegible] 2 [illegible]

[illegible] 2 [illegible]

[illegible] ————

9. [illegible]

3 [illegible] 4 [illegible]

[illegible] 1-2 [illegible]

[illegible] ————

10. [illegible] 1882

[illegible] 2 [illegible]

[illegible] 2 [illegible]

[illegible]

[illegible]

11. ਸੰਵਿਧਾਨ ਤੇ ਕਾਨੂੰਨ ਅਨੁਸਾਰ ਨਾਗਰਿਕਾਂ ਨੂੰ ਕਈ ਮੌਲਿਕ ਅਧਿਕਾਰ ਪ੍ਰਾਪਤ ਹਨ। ਇਹ ਅਧਿਕਾਰ ਕੀ ਹਨ ਅਤੇ ਇਹਨਾਂ ਦੀ ਰੱਖਿਆ ਕਿਵੇਂ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ?

12. ਸਮਾਜਕ ਭਲਾਈ ਦੇ ਕੋਈ 2-3 ਪ੍ਰਮੁੱਖ ਕਾਨੂੰਨਾਂ ਦਾ ਵਰਣਨ ਕਰੋ। ਇਹਨਾਂ ਕਾਨੂੰਨਾਂ ਦੇ ਅਧੀਨ ਕਿਹੜੇ ਲਾਭ ਦਿੱਤੇ ਜਾਂਦੇ ਹਨ ?

13. ਸਮਾਜਕ ਅਪਰਾਧਾਂ ਦੀ ਰੋਕਥਾਮ ਲਈ ਕਾਨੂੰਨੀ ਵਿਵਸਥਾ ਦੱਸੋ। ਬਾਲ ਅਪਰਾਧੀਆਂ ਲਈ ਕੀ ਵਿਵਸਥਾ ਹੈ ?

14. ਸਮਾਜਕ ਭਲਾਈ ਦੇ ਕਾਨੂੰਨਾਂ ਨੂੰ ਲਾਗੂ ਕਰਨ ਵਿੱਚ ਕੀ ਮੁਸ਼ਕਿਲਾਂ ਆਉਂਦੀਆਂ ਹਨ ? ਇਹਨਾਂ ਮੁਸ਼ਕਿਲਾਂ ਨੂੰ ਦੂਰ ਕਰਨ ਲਈ ਕੀ ਉਪਾਅ ਕੀਤੇ ਜਾ ਸਕਦੇ ਹਨ ?

15. ਸੰਵਿਧਾਨ ਦੇ ਅਨੁਸਾਰ ਰਾਜ ਦੇ ਨੀਤੀ ਨਿਰਦੇਸ਼ਕ ਸਿਧਾਂਤਾਂ ਦੀ ਕੋਈ 2-3 ਧਾਰਾਵਾਂ ਦੱਸੋ ਅਤੇ ਇਹਨਾਂ ਦੀ ਮਹੱਤਤਾ ਬਾਰੇ ਲਿਖੋ।

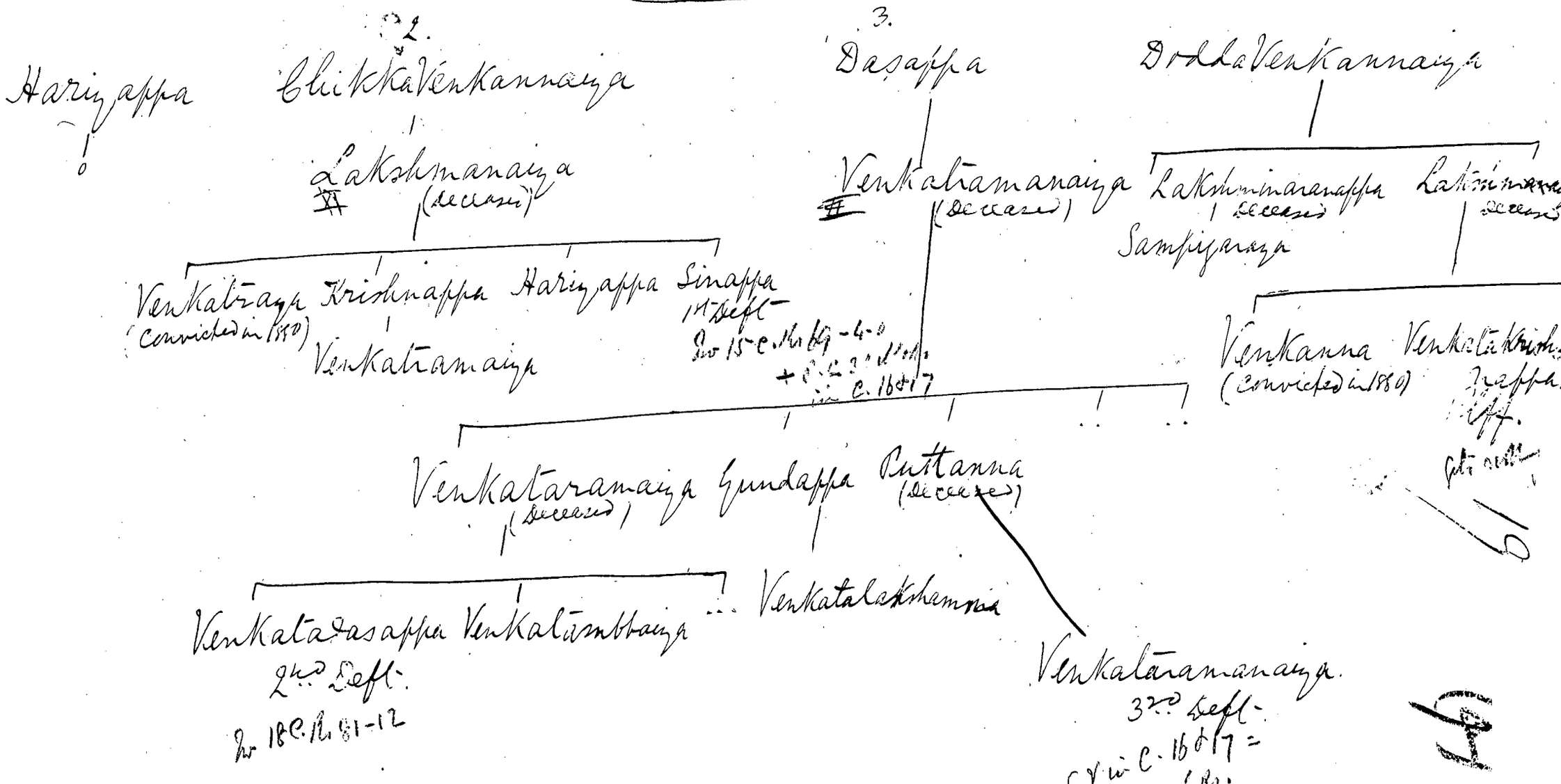
16. [illegible]

17. [illegible]

18. [illegible]

23-8-97.

Genealogical Table.



Submitted.

* The judgment and decree of the Court against which appeal is preferred.

BK 8/11/97

† A K Ram Chandra (Thimmappa) appellant by plaintiff also. Whether he is alive or dead?

MY 6/11/97

Call for record returning the stamp paper

8/11

10-11-97

Submitted with the file

BK 18/11/97

To be for the present

MY 19/11/97

Re-submitted with file

BK 20/11/97

In the Registrar's Court in Reg. Appl. Nos 3 of 1896-97

1897 (7)

No. 1079

Name of Petitioner 1. Appellants
2. Dundappa Shivappa Hegde
3. Ramappa Basappa

Village 1. Yellapur
2. Nittur

Taluk Yellapur

District Dunkar

Date of Arzi 7-10-97

Date of Receipt 27-10-97

Date of Disposal

No. of Enclosure 2, and 6 Annas court fee stamps

ABSTRACT.

(Second) Appeal against the Judgment and decree of the Asst Judge Dunkar dated 30th June 97 in suit of Shankraji of Nittur and 10 other villages, and recovery of possession of a many villages as would yield a remuneration of 65 Rs. per annum.

The order of the Lower
appeals d against
is as follows:-

"The order of the Extra Asst
Comr declaring the plff
Venkata Reddy 3 annas
herein to be the Pattadar
of 1/4 share of the chan.
thoti in question is con-
firmed - that his name
might be entered as the
Pattadar for that share,
but the possession of the
office should not now be given
to him and his claim would
be considered on the
occurrence of a vacancy
the appeal was dismissed
with costs.

The grounds of the appeal
to Govt are:-

(1) The decision of the appella.
Court as well as that of
the original court are
opposed to the records, the
evidence and to Law.

(2) That the Asst was barred

by limitation by insti-
tuting a suit in the
original court inasmuch
as the judgment given
by them on the 14th July 1884
is not specific that he was
16 years old and was admitted
and 7th October 6 by
his guardian and also
the Amin's in his report
No 58 dated 26th April
1883 states that the
deft was 15 years old;
But the Court without
taking these points into
consideration relied
on a horoscope written
in Devanagari character
which was prepared
for the purpose. The
Court was wrong in
having done so.

(3) That the Court was
wrong in having admitted
the horoscope which was

not produced at the proper time but at the time when the judgment was pronounced and although he begged the Court not to admit it before being satisfied of its genuineness for which sufficient time should be given, the Court refused to do so.

(4) That the Respt forfeited his claim of one anna share only by being undivided with his brother who lost his half for his dishonesty.

(5) That the Respt has no right whatever to the office.

(6) That the Guardian was not acting to the benefit of the Minor Appt which he ought to

know from the present
Guardian - that as none
~~have~~ are authorized
to act for the minor
pray that his interests
should be well guarded
by some appointing
competent men to
act for him - otherwise
that these orders or any
others that may be passed
in future may not ~~affect~~ interfere
with his rights and
that they may not be
given effect to until he
attains his age.

Pray also that the
decree and the judgment
appealed ~~against~~ against
be set aside and orders
passed directing that
the respt name should
not be entered in the Register
as he was barred by
limitation, and reserving
the costs of the appeal from

The Respt.

Enc 1. Decree of the
D/ Court appeal against
which has been noted
above.

Enc 2. Judgment.

Enc 3. Memo of the
appellants with 6 annas
stamps for process to
be served on the respt

Rot to Pat. Br. [illegible] 27/10/97

26

[illegible]

7—10—97

[illegible]

MYSORE COURT FEE

10

MYSORE

DEWAN'S OFFICE

DEPARTMENT

No. 1079 R

27-10-97

6 annas C.F. stamps produced for process fees
B.K.
27-10-97

[illegible]

[illegible]

1897–98 [illegible] 30

[illegible]

1 [illegible]

[illegible]

2 [illegible]

[illegible]

[illegible]

1896–97 [illegible] 3

[illegible]

1 [illegible]

2 [illegible]

[illegible] 1-2 [illegible]

[illegible] 1896-97 [illegible] 31 [illegible]

[illegible]

1 [illegible]

[illegible]

2 [illegible]

[illegible] 1884 [illegible]

[illegible] 11 [illegible]

[illegible]

[illegible] 83 [illegible] 24 [illegible]

[illegible] 38 [illegible]

[illegible] 12 [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] 93 [illegible]

1- [illegible]

[illegible]

1079 [illegible]

OFFICE OF THE [illegible] 97

(8) 4-11-97

[illegible]

[illegible]

[illegible]

[illegible]

By Order

Draft -

for Secretary.

S.V.
3/11/97

1028 gap audit (Under dispatch)

Submitted with file No 1079
MK
18/11/97

File 1 Gundappa's pet. has been rec.d
14/11/97

30

1897 (9)

No. 1237

Name of Petitioner Venkatachinna appellant

Village Srinivasapura now 22/97 Arakalgud

Taluk Gubbi

District Tumkur

L.R. 7

SL 6

Date of Arzi 11-11-97

Date of Receipt 13-11-97

Date of Disposal

No. of Enclosure nil

ABSTRACT.

Petr begs to submit that he has served with a notice from this office directing him to report within a week the [illegible] naming the present guardian, his place of residence &c of Chinna Venkatavadhanna 3rd Respondent in appeal No 22/97-98 & the petr - Gundappa stating inter alia that he was no more the minor's guardian &c — & and states as follows that he received the notice on 7th instant and proceeded to Gubbi on the 10th and on enquiry came to know that the said Gundappa Uncle

of the minor referred to in
was the guardian thereof and
that the minor and his
sister of whom ye Defendant
both under the protection of
the said Grandfather; that the
minor was absent from the
house; that the petitioner went to
the School where the boy was
and was informed by the
teachers that the boy and his
sister were under the guardian
ship and protection of Grandfather
that the boy is now daily coming
from Grandfather's house;
that the petitioner waited in the
way to see where the boy went
and saw him enter into
the said Grandfather's house;
that the neighbouring persons
informed the petitioner that the
said Grandfather beat the
boy under his protection;
that the said Grandfather and
Defendant Venkatadasappa and Respondent
connected therewith on behalf of
the minor in both the lower courts
and having failed in their
object have now devising
new plans to defeat the object
of the petition; that the said Venkata
dasappa falsely telegraphed as
that he was ill when he was
summoned to be present on the
hearing day at all cost (18th October)
that the said Grandfather is still
the guardian and that the
minor is in his house alone

Reg[illegible] 13/11/97
[illegible]

32

No. 1237

1237 R
13-11-97

[illegible]

[illegible]

1897-98 ನೇ ಇಸ್ವಿ [illegible] ಅಪೀಲ ನಂಬರ 22

ಅಪೀಲದಾರ — [illegible]

ಅಪೀಲ ಪ್ರತಿವಾದಿಗಳು — [illegible]

[illegible] 1897 ನೇ ಇಸ್ವಿ [illegible] ಅಪೀಲದಾರ [illegible]

([illegible])

[illegible] 3-11-97 [illegible]

[illegible]

ಮಾಡಿಕೊಂಡು ಹೋಗಿ ಅಲ್ಲಿ ಅವರಿಗೆ ಕೊಟ್ಟು ಬಂದರು. ಅವರು ಅದನ್ನು ತೆಗೆದು

84 ~~(8)~~ (13)

Proceedings of the Govt of Bombay

LR 92-97
87

Read:-

(1) Their Letter No 294 dated 11th September 1897 from the Deputy Commr Dharwar District submitting the records connected with the appeal of Venkatakrishnaya of Sirasanda in the Gadag Taluk regarding his claim to the office of Shanbhog of Nettur and other villages in the said Taluk.

Order thereon. No 4835 / Food 9
3/12-97

It is said that there are three officiators, while, according to the Survey arrangement, there are four Shanbhogi charges. Respondent appellant

Vaikuntha Krishnayya
Contends that the 4th
charge may be given to him.
The Deputy Commr does not
give any reasons why this
should not be done and
the Survey arrangement ad-
hered to. We will now report
why a separate officiator
should not be appointed
for each of the Survey
charges and, if one is
then available to be given
to the appellant, why that
fourth charge which may
be the smallest should not
be given to him.
2. The records are returned
for reference & reconsideration.
Draft.
For Secretary
C.J.3
To The Dy Com. Guntur District

General Serial No. 39.

REVENUE DEPARTMENT
G.I. No. 242
JUL 12 1897
189 SECTION OFFICE

report for hearing 28th August
15/7/98

LR 92-97
82-8

From The Deputy Commissioner
Tumkur District.

To The Secretary to the
Govt of Mysore Revenue
Department Bangalore —

Dated 6th July 1897

Despatched 7th July 1897

Received 9th July 1897

Enclosures No. 2 Encl files

General No. 32

No.
Govt Rev: Dep 4635
Dated 6th December 97.

Submitting further information in regard to the appreciation of Cumbalimanu of Kinnenahalli in the Gubbi Taluk regarding his claim to the Kinnenahalli Cutcherry and other village in that Taluk

Petition R/A
28/5/98 13/7/98
Report up
14/7/98 15/7/98

Central Jail Press, Bangalore.—6-8-97.—10,002.

No 32
Encl: 2 Verifiles

Deputy Commissioner's Office
Gaya District

Dated, Gaya, 8th July 1898

To
The Secretary to the Government of
Bengal, General and Revenue Department

Sir,

In reply to Government Proceedings
No: 4305 dated 30th December last
Pet 661
regarding the Mauzawar statistics of
Gaya & other villages in the District
I have the honor to submit
herewith a village forming the subject of
Revenue Appeal No: 3 of 1896-97 (Kanka
Pahamuniyan Chakla Daudnagar
Gaya (Kataksaluniyan) on the file of
this Court and to forward
herewith an Index of Settlement Papers
as noted below.

Serial No.	Village	Police Summary
I.	1. Kanka 2. Bahigana Kalli	Rs. 69-4-0
II.	1. Chandeshwar Kalli 2. Dumaria Kalli 3. Bandikalli 4. Kanchankalli	" 49-5-0
III.	1. Kalejalla 2. Bandikalli 3. Paraskankalli 4. Para	" 63-12-0

Rs As

Charge No II 1. Vellur Kinanikere. 81-12-0

Total Rs: 264-4-0

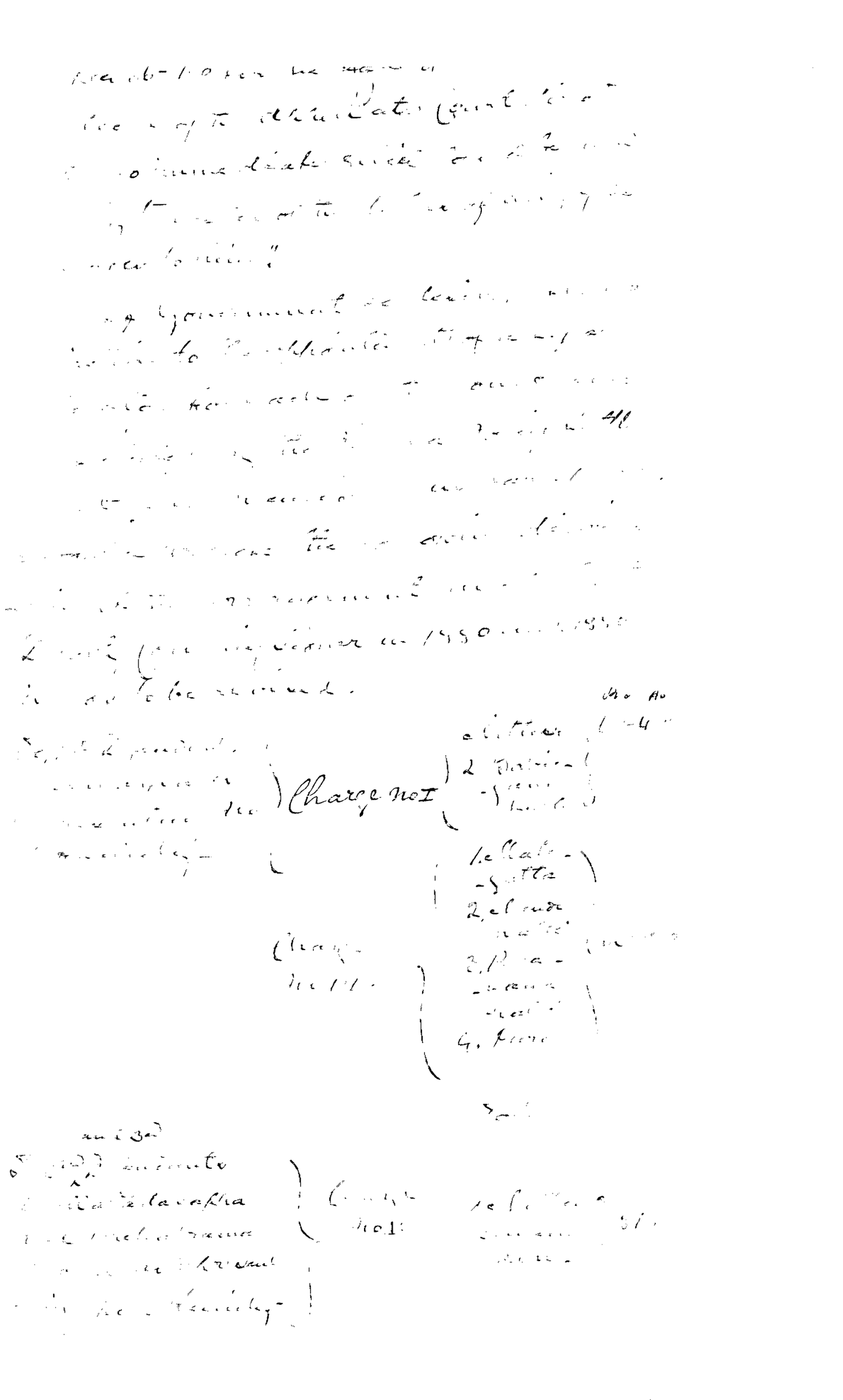
2. At present the 1st, 2nd and 3rd Defendants alone hold these 11 villages as noted below.

1st Defendant Seenappa 5 villages
1. Vellur
2. Babigamalli
3 Kanchalli x
4 Paravanahalli x
5. Kenchanahalli

2nd Defendant Venkata-Dasappa one village.
1. Vellur Kinane Kere.

3rd Defendant Venkatappa naya. 5 Villages.
1. Hatigatta
2. Hunumanahalli
3. Bandichalli x
4. Para.
5. Bandichalli

3. Plaintiff Venkata Krishnaya's claim as set forth in the Plaint was for the Registry and transfer in his name, of as many villages out of the 11 in dispute as would give him a remuneration of Rupees 264-4-0 = 66-1-0. He did not ask that one of the four charges might be given to him and as it was not considered necessary to reinstate the Existing charges so as to constitute one with a remuneration of



1/10

Plaintiff - Venkatai - Krishnaya as representative of a Hindu family -

Defendants

1. Kuchana halli
2. Annana halli
3. Bandi halli
4. Kurihalli

} As 49-8-0

5. This arrangement would deprive the 2nd and 3rd Defendants of a large portion of their present income. Objections to the proposed distribution on the part of the 2nd and 3rd Defendants might be invited and heard before it is finally sanctioned.

6. The records connected with the case are herewith returned.

I have the honor to be
Sir
Your most obedient servant

[signature]
Deputy Commissioner

2 Drafts

Proc of the Sub Ct of Mysore.

LR 92-97

Reco 829

Petition of appeal No 576/A22 of 1897-98 presented by the Venkata Krishnayya of Sivasandra in the Subbi taluk against the decree of the Dist Munsif Tumkur dt declaring that the appellant is entitled to 1/4 share in the Shankaya-hunk of Nittur & to the Village but refusing to put him in charge of a proportionate number of Villages

(2) Petition of appeal No 1079/A30 of 1897-98 presented

Sub'd 6th Dec.

1) 2 Drafts for approval

2) I regret the delay in this case (the case having been heard on 8/8/98) which is due to the Advocate having misplaced it

3/10/98

9979-a

3/10/98

x the W. T. Case Proceedings on 3/11/98

Petitioners

Please obtain & how to proceed in the case with Costs

4-10-98

by Venkatadasappa & Venka-
tramanayya, 2nd & 3rd defendants
in the x case against the
same decree (contd.)
(3) Correspondence ending
with letter No 32. dt 8/7/98
from the Dy Comr Kurnool
&c.

The plaintiff and the three
defendants are descended
from a common ancestor (Basappa
who own the Inkdar
Shambog of Nettur 2 other
Villages
According to the Reports of
1864, five of the villages were
registered in the name of
Lakshmanaya father of the
1st defendant, two in the

x Plaintiff
Venkatakrishnayya

by Defendants
(1) Timmappa
(2) Venkatadasappa
(3) Venkatramiah

Final order
letter on enclosure
dt

Facts of the case.

name of Venkatramana
grandfather of the 2nd & 3rd
defendants & three in the
name of Lakshmaiya, father
of the plaintiff while
the remaining villages
was registered in the names
of all the three
Lakshmaiya, father of
the plaintiff was however
the Pattadar-Shanbogg
all the villages till his
death in 1878-79 when
he was succeeded by
his son Venkatrama
brother of the plaintiff

Venkatrama was convicted
in April 1880 of embezzle-
ment of Govt-money &
dismissed the service

In July 1880 the 1st Dy Commr
Sanctioned a redistribution
of charges under which
by succession & transfer,
the ~~first~~ 1st defts came
to hold in 1890 5 villages,
the 2nd defts 1 village &
the 3rd defts the other 5
villages.
In Decr 1895 the plaintiff
brought a suit in the
Extra Asst Commr's Court
for a declaration of his
right to 1/4 th share in the
Shemboji Inam and for
being put in charge of
as many villages as would
yield 1/4 th of the total
hobli. The 1st defendant
admitted the plaintiff's claim and did not contest the suit

The Asst Comm'r declined
the claim but left the
question of putting the
Pff in charge of a
Specific number of
Villages to be decided
in the course of execution

The 2nd & 3rd defendants
appealed against this decree
to the D Comm'r and
contended that the Pff's
family had lost the land
in 1880 and that the
Suit was barred

The D Comm'r found that
the Pff was a minor in 1880 &
the Pff had brought the
Suit within 3 years of
his attaining majority
and that no declaration

Xp
of forfeiture of luck way
vested by competent authority
in 1880. He accordingly
rejected the appeal but
modified the Asst Comm'rs
decree, in accordance with
by Pg to a partition among the shareholders of the village, and reserving to himself
A luck, by the assignment of
~~of further relief~~
Against this decree both
the parties have appealed
to Govt.
The plaintiff urges that, as
the villages have been
divided into 6 charges & ~~XXX~~
there are only 3 appellants,
he should be put in possession
of at least one
The 2nd & 3rd defts ~~urge~~ put forth
the same grounds as those
urged before the Dy Comm'r.
by a transfer of any of the
shares of any of the
villagers without
the assent of a majority

67

order thereon.

The first error in the reasons given by the Officer in his judgment in saying that Officiator ... and is not barred by limitation and that he is entitled to the ... claimed by him ...

~~From the further report of the Assistant~~ observed that the 11 villages were divided into 4 pokhars at the Settlement and that in 1886-87 the present divisions into ~~six~~ three charges are unauthorized. In making the distribution ... ... the Rule XIX of the ... Rules quoted in the ~~order~~ ~~...~~

~~... appear to have been ...~~
~~for the reasons given by the Assistant, the contentions of the ... defendants are untenable & their appeal is rejected.~~

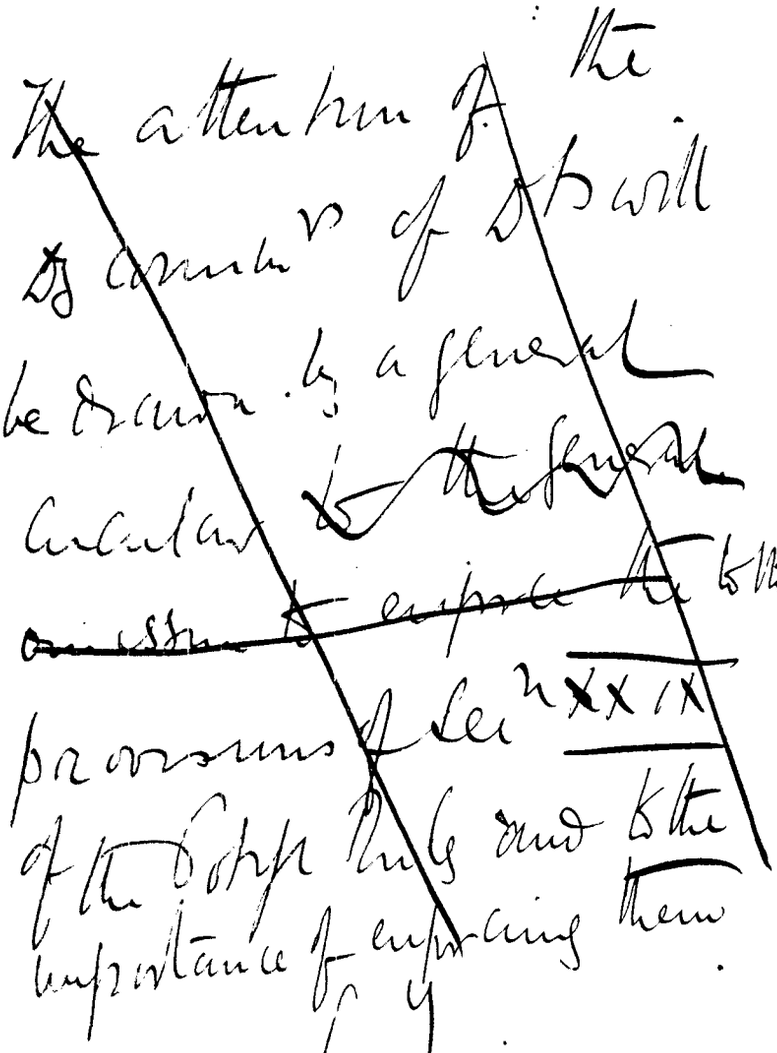
As there are 4 pokhars ~~charges~~ & ~~there are~~ only 3 Officiators

(see quoted ... in full)

"The charges of ... will be so distributed as to give each officiator as many villages as he is capable of managing. When more villages than form a sufficient charge are already in the hands of an officiator, he will be required to give up the surplus villages, for which one or more new officiators will be appointed by Govt. The new officiator or officiators will be appointed from the family in which the ... has been hitherto vested if a competent person can be found."

IX

The Dis Comm^rs will be requested
to find the plaintiff
in charge of the Smallest
of the parkas used by the thirty aforementioned.
~~X X X of the Ship Ring~~



The attention of the
Dis Comm^rs of Dis will
be drawn by a general
Circular to the several
provisions of Sec^n XXIX
of the Dock Regs and to the
importance of enforcing them
strictly.
Sec^y

The Dis Comm^rs Limehouse
with Record

The Masters of other Ds

(22) Proceedings before Court of Appeal

LR Read:-

(1) Petition of appeal No 596/a22 of 1897 presented by Plaintiff Venkatakrishnama of Sivaganga in the Tinnevelly Taluk, against the decree of the Acting Assistant District, declaring that the appellant is entitled to 1/4 th share in the Chavadi hall of Nattar and to other villages but refusing to put him in charge of a proportionate number of villages

(2) Petition of appeal No 1079/a30 of 1897 presented by Venkata Ramappa and Venkatramanaya 2nd and 3rd defendants in the case against the same decree contending that Plaintiff was not entitled to the 1/4 th share claimed by him.

(3) Correspondence ending with letter No 82 dated 8-7-98 from the Deputy Commissioner Tinnevelly dtd 11th

Plaintiff Venkatakrishnama

Defendants (1) Sivaramiya (2) Venkatramanaya (3) Venkatramanaya

Print Letter in extenso

Facts of the case

The

The plaintiff and the first defendant are descended from a common ancestor (Narasappa) who was the hereditary Shanbhog of Pattur and 10 other villages

2. According to the Register of 1864, five of the villages were registered in the name of Lakshmi father of the 1st defendant, two in the name of Venkatramanna grandfather of the 2d and 3rd defendants and three in the name of Lakshmanaya, father of the plaintiff while the remaining village was registered in the names of all the three

3. Lakshmanaya, father of the plaintiff was however, the Officiating Shanbhog of all the villages till his death in 1878-79 when he was succeeded by his son Venkanna brother of the plaintiff. Venkanna was convicted in April 1880 of embezzlement of Government money and dismissed

the service. In July 1830
the Dy: Commr directed
a redistribution of charges
under which by succession
and transfer, the 1st left
came to hold in 1896 5 villages,
the 2d left 1 village and the
3d left the other 5 villages
4. In Dec 1895 the plaintiff
brought a suit in the Extra
Asst Commrs court for
a declaration of his right
to ¼ th share in the Chambhoji
land and for being put in
charge of as many villages
as would yield ¼ th of the
total profits. The 1st defdt
admitted the plaintiff's claim
and did not contest the
suit. The Asst Commr
decreed the claim but left
the question of putting the
plff in charge of a specific
number of villages to be
decided in the course of
execution. The 2d and 3d

defendants appealed against
this ~~decision~~ decree to the
Deputy Commr and contended
that the plaintiffs family had
lost the hak in 1880 and that
the suit was barred.
The Dy: Commr found that
the plaintiff was a minor in
1880 and had brought the
suit within 3 years of his
attaining majority and that
no declaration of forfeiture
of hak was issued by competent
authority in 1880. He
accordingly rejected the appeal.
but modified the Asstt
Commrs decree by recognizing
the plffs hak to a fourth
share in the Thandhagelirs
of the 11 villages referred to above,
and refusing to disturb the
existing arrangement by a
transfer of the duties if any
the villages to Plff until
the occurrence of a vacancy.

Against this decree both the parties have appealed to Govt.

5. The plaintiff urges that as the 11 villages have been divided into 4 charges and there are only 3 officiators, he should be put in possession of at least one.

6. The 2d and 3d defts put forth the same grounds as those urged before the Dy. Commr

R: 3143-50 / 2733-98 } 2.4.98 Cadle. Keeran

The Govt concur in the reasons given by the Dy. Commr in his judgment for holding that Plaintiff's suit is not barred by limitation and that he is entitled to the 1/4 share claimed by him. It is observed that the 11 villages were divided into 4 shares at the Cotigi Settlement in 1356-57 and that the present division

into three charges are unauthorized. In making the distribution the provisions of Rule XXIX of the Postal Rules quoted in the margin appear to have been lost sight of. As there are 14 Provincial Deputy Officials, the Dy: Commrs will be required to put the principle in charge of the Annulets of the Provinces under the Rule aforementioned.

Prompt

4/5/1911
Secretary

To
The Deputy Commrs Circular
Letter with records
" Dy: Commrs of the Districts

"The charges of Shanti Charge
"will be re-distributed so as to
"give each officials as many
"villages as he is capable of
"managing. When more
"villages than four a sufficient
"charge are already in the hands
"of an officials, he will be
"required to give up the surplus
"villages, for which some or
"more new officials will be
"appointed by Govt. The new
"officials or officials will be
"appointed from the family
"in which the last has been
"hitherto vested if a competent
"person can be found."

compare
Abu

55

1898-99

GOVERNMENT OF MYSORE

PETITION

PROCEEDINGS

Dated 2nd November 1898

No. 3143-50 / P. F. 33-98

Passing orders on the appeal of Venkata-krishnaiya of Sivasandra, Gubbi taluk, regarding his ¼th share in the shanbhogi ıak of Nittur and ten other villages, and equesting the Deputy Commissioner to ut him in charge of the smallest of the ur firkas into which the above villages ave been divided.

M.G.C.P.B.—27-12-98—200

56

Petition, dated 2nd November 1898.

				Rs. a. p.
To 2nd and 3rd defendants Venkatadasappa and Venkatramanaiya as representing No. 2 family.	Charge No. IV.	1.	Nittur Amanikere.	81—12—0
To plaintiff Venkatkrishnaiya as representative of No. 3 family.	Charge No. II.	1.	Kenchanahalli.	49—8—0
		2.	Ammanahalli.	
		3.	Bandihalli.	
		4.	Kurihalli.	

5. This arrangement would deprive the 2nd and 3rd defendants of a large portion of their present income. Objections to the proposed distribution on the part of the 2nd and 3rd defendants might be invited and heard before it is finally sanctioned.

6. The records connected with the case are herewith returned.

FACTS OF THE CASE.

The plaintiff and the three defendants are descended from a common ancestor (Lasappa) who was the hakdar shanbhog of Nittur and ten other villages.

2. According to the Register of 1864, five of the villages were registered in the name of Lakshmaiya, father of the 1st defendant, two in the name of Venkataramanaiya, grand-father of the 2nd and 3rd defendants, and three in the name of Lakshmaiya, father of the plaintiff, while the remaining village was registered in the names of all the three.

3. Lakshmaiya, father of the plaintiff, was, however, the officiator shanbhog of all the villages till his death in 1878-79, when he was succeeded by his son Venkanna, brother of the plaintiff.

4. Venkanna was convicted in April 1880 of embezzlement of Government money and dismissed the service. In July 1880, the Deputy Commissioner sanctioned a re-distribution of charges, under which by succession and transfer, the 1st defendant came to hold in 1890 five villages, the 2nd defendant one village, and the 3rd defendant the other five villages.

5. In December 1895, the plaintiff brought a suit in the Extra Assistant Commissioner's Court for a declaration of his right to ¼th share in the shanbhogi hak and for being put in charge of as many villages as would yield ¼th of the total potigi. The 1st defendant admitted the plaintiff's claim and did not contest the suit. The Assistant Commissioner decreed the claim, but left the question of putting the plaintiff in charge of a specific number of villages to be decided in the course of execution. The 2nd and 3rd defendants appealed against this decree to the Deputy Commissioner, and contended that the plaintiff's family had lost the hak in 1880, and that the suit was barred.

6. The Deputy Commissioner found that the plaintiff was a minor in 1880 and had brought the suit within three years of his attaining majority, and that no declaration of forfeiture of hak was issued by competent authority in 1880. He accordingly rejected the appeal but modified the Assistant Commissioner's decree by recognizing the plaintiff's hak to a fourth share in the shanbhogship of the eleven villages referred to above, and refusing to disturb the existing arrangement by a transfer of the duties of any of the villages to plaintiff until the occurrence of a vacancy.

7. Against this decree both the parties have appealed to Government.

8. The plaintiff urges that, as the eleven villages have been divided into six charges, and there are only three officiators, he should be put in possession of at least one.

9. The 2nd and 3rd defendants put forth the same grounds as those urged before the Deputy Commissioner.

No. 3143-50—P. F 33-98, DATED BANGALORE, 2ND NOVEMBER 1898.

ORDER THEREON.—The Government concur in the reasons given by the Deputy Commissioner in his judgment for holding that plaintiff's suit is not barred by limitation, and that he is entitled to the ¼th share claimed by him. It is observed that the eleven villages were divided into four firkas at the potigi settlement in 1886-87 and that the present division into three charges is unauthorized. In making the distribution, the provisions of Rule XXIX of the Potigi Rules quoted in the margin appear to have been lost sight of. As there are four firkas and only three officiators, the Deputy Commissioner will be requested to put the plaintiff in charge of the smallest of the firkas under the Rule aforementioned.

"The charges of shanbhogs will be re-distributed so as to give each officiator as many villages as he is capable of managing. When more villages than form a sufficient charge are already in the hands of an officiator, he will be required to give up the surplus villages, for which one or more new officiators will be appointed by Government. The new officiator or officiators will be appointed from the family in which the *hak* has been hitherto vested, if a competent person can be found."

C. SREENIVASIENGAR,
Secy. to Govt., Gen. & Rev. Depts.

To—The Deputy Commissioner, Tumkur District, with records.
The Deputy Commissioners of other Districts.

Exd.—H. A. R

Proceedings of the Government of Mysore,

READ—

Petition of Appeal No. 596—A 22 of 1897-98, presented by plaintiff Venkatakrishnaiya of Sivasandra in the Gubbi taluk, against the decree of the Deputy Commissioner, Tumkur district, declaring that he is entitled to ¼th share in the shanbhog's hak of Nittur and ten other villages, but refusing to put him in charge of a proportionate number of villages.

(2) Petition of Appeal No. 1079—A. 30 of 1897-98, presented by Venkatadasappa and Venkatramanaiya,* 2nd and 3rd defendants in the case, against the same decree, contending that plaintiff was not entitled to the ¼th share claimed by him.

* Plaintiff. Venkatakrishnaiya. *Vs.* Defendants. (1) Sinappa. (2) Venkatadasappa. (3) Venkataramanaiya.

(3) Correspondence ending with letter No. 32, dated 8th July 1898, from the Deputy Commissioner, Tumkur district—

In reply to Government Proceedings No. 4835—Pt. 664, dated 3rd December last, regarding the shanbhogship of Nittur and ten other villages in the Gubbi taluk, I have the honor to state that the eleven villages forming the subject of Revenue Appeal No. 3 of 1896-97 (Venkatramanaiya and Venkatadasappa *vs.* Venkatakrishnaiya) on the file of this Court, were divided into four charges at the pakka potigi settlement as detailed below :—

Vide Exhibit D in the records.

	Villages.			Potigi amount. Rs. a. p.
Charge No. I	1. Nittur*	...	...	69—4—0
	2. Babiganhalli	...	...	
„ No. II	1. Kenchanahalli	...	...	49—8—0
	2. Ammanahalli	...	..	
	3. Bandihalli	...	...	
	4. Kurihalli	...	...	
„ No. III	1. Matigatta	...	...	63—12—0
	2. Nandihalli	...	...	
	3. Parasanahalli	...	...	
	4. Pura	..	...	
„ No. IV	1. Nittur Amanikere	...	...	81—12—0
		Total	...	264—4—0

2. At present, the 1st, 2nd and 3rd defendants alone hold these eleven villages as noted below :—

1st defendant Sinappa, five villages.
1. Nittur.
2. Babiganhalli.
3. Karehalli.
4. Parasanhalli.
5. Kenchanahalli.

2nd defendant Venkatadasappa, one village.
1. Nittur Amanikere.

3rd defendant Venkatramanaiya, five villages.
1. Matighatta.
2. Aramanahalli.
3. Bandihalli
4. Pura.
5. Nandihalli.

3. Plaintiff Venkatakrishnaiya's claim, as set forth in the plaint, was for the registry and transfer in his name of as many villages out of the eleven in dispute as would give him a remuneration of Rs. $\frac{264\text{-}4\text{-}0}{4}$ =66-1-0. He did not ask that one of the four charges might be given to him, and, as it was not considered necessary to re-distribute the existing charges, so as to constitute one with a remuneration of Rs. 66-1-0 for the sake of the plaintiff, the decree of the Appellate Court directed that "no immediate relief could be given him by transfer of the duties of any of the villages to him."

4. If Government so desire, I see no objection to the appointment of a separate officiator for each of the four charges constituted by the pakka potigi settlement and mentioned in para 1 above. I would propose the following distribution if the arrangement made by the Deputy Commissioner in 1889 and 1886 is now to be revised :—

			Rs. a. p.
To 1st defendant Sinappa as representing No. 1 family.	Charge No. I.	1. Nittur. 2. Babiganhalli.	69—4—0
	Charge No. III.	1. Matighatta. 2. Nandihalli. 3. Parasanhalli. 4. Pura.	63—12—0
		Total ...	133—0—0

(19)

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Clerk
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596.

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L.R.

[illegible]

18. 10. 98. [illegible]

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By Order

for Secretary

Draft

Clerk

Asst